HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

(Division Bench)

CORAM : **Hon'ble Shri S.R. NAYAK, CJ**
& Hon'ble Shri Satish K. Agnihotri, J.

MISC. APPEALNO.476 OF 2005

Appellant
Claimant

Badku Ram
Aged about 45 years,
S/o Hagaru Charmkar,
R/o Khparidih, P.S. Bilaigarh,
District Raipur (CG)

VERSUS

Respondents

(1) Teras Ram
Aged about 40 years,
S/o Duryodhan Sahu
R/o Churela
P.S. & Tahsil: Bilaigarh,
District Raipur (CG).

(2) Anand Ram
S/o Ghasidas Sahu
R/o Bhatgaon,
P.S. & Tahsil: Bilaigarh,
District Raipur (CG).

(3) The New India Insurance Co. Ltd.
Branch Office, Hand Floor,
RDA Building, Bairan Bazar,
Raipur (CG)

Present:

Mr. Goutam Khetrapal, learned counsel for the appellants.

ORAL ORDER

(Passed on 28th of November 2005)

The following Order of the Court was passed by

S.R. Nayak, CJ:

This appeal arises out of a personal injury case. What was contended before us by the learned counsel for the appellant is that the Tribunal ought to have awarded a sum of Rs.40,000/- towards future

medical expenses but instead it has awarded only a sum of Rs.20,000/- under the said head.

(2) Having heard learned counsel for the appellant and having perused the impugned award and other material papers appended to the appeal, we cannot take any exception to what is awarded by the Tribunal under the head future expenses to be incurred towards medical treatment. Though it was claimed by the claimant that he requires a sum of Rs.40,000/- and odd towards future medical expenses, in support of that plea, he has not produced any evidence. The doctor who treated him is also not examined. In the absence of substantial legal evidence, the Tribunal has awarded a sum of Rs20,000/- towards future medical expenses and therefore we cannot condemn that part of the award as unreasonable or arbitrary No other point was urged before us to assail the impugned award passed by the MACT. The appeal is devoid of merit. It is accordingly dismissed, however, with no costs.

Sd/-
Chief Justice
Judge

Sd/-
Satish K. Agnihotri
Judge

Brajesh*